UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/48/532/Add.1
18 November 1993

ORIGINAL: ENGLISH

Forty-eighth session
Agenda item 31

THE SITUATION OF DEMOCRACY AND HUMAN RIGHTS IN HAITI

Note by the Secretary-General

Addendum

The present document is an addendum to the interim report by the International Civilian Mission established in Haiti by the United Nations and the Organization of American States on the situation of democracy and human rights in Haiti (A/48/532, annex). The Special Envoy appointed by myself and the Secretary-General of the Organization of American States, Mr. Dante Caputo, has also submitted the present report (see annex) to the Secretary-General of the Organization of American States, who is making it available to the member States of that Organization. It is circulated herewith, for the information of the members of the General Assembly, in accordance with paragraph 9 of Assembly resolution 47/20 B of 20 April 1993.

ANNEX

Supplementary report of the International Civilian Mission to Haiti

1. The report of the International Civilian Mission submitted pursuant to paragraph 9 of General Assembly resolution 47/20 B of 20 April 1993 on the situation of democracy and human rights in Haiti and circulated to members of the General Assembly on 25 October 1993 (A/48/523, annex) contained a full analysis of the work of the Mission and the human rights situation in Haiti for the period from 1 June to 31 August 1993, and also incorporated reference to important events that occurred in September. The present supplementary report updates the previous report by giving additional information regarding the human rights situation up to the evacuation of the Mission from Haiti on grounds of security on 15/16 October.

2. Over 60 killings or suspect deaths in Port-au-Prince were reported to the Mission in the month of September. Although over half of them occurred in the second week of September and the numbers fell again in the second half of the month, killings and enforced disappearances in the capital continued into October. The Mission's investigation of such violations of the right to life and of the right to integrity and security of person afforded increasing evidence of targeted political assassinations carried out by paramilitary groups linked to the Forces Armées d'Haiti (FAD'H) or by members of the FAD'H themselves.

3. The Mission continued its investigation into the assassination of Antoine Izméry, a prominent supporter of President Jean-Bertrand Aristide and co-founder of the Komite mete men pou verite blayi (KOMEVEB, Joint Committee for the Emergence of the Truth), on the occasion of a mass organized by the KOMEVEB on 11 September in the Church of Sacré-Coeur in Port-au-Prince. The executive summary of its report on that investigation appears as an appendix to the present report. (The report itself may be consulted in the Secretariat.) The investigation concluded that the group of armed men responsible for the assassination of Mr. Izémry included a person identified as a member of the FAD'H, as well as several attachés (civilian auxiliaries of the FAD'H); that they operated with the support of uniformed members of the FAD'H present around the site of the killing; and that the scale and nature of the operation were such that it could only have been carried out with the complicity, if not the direct participation, of highly placed members of the FAD'H.

4. The overall incidence of killings and suspect deaths in Port-au-Prince reached a peak around the weekend of the killing of Mr. Izméry and fell sharply following the international condemnation to which it gave rise. The fact that there was such a sudden fall in killings attributed to zenglendos, armed criminal groups operating at night, particularly in the slums and working class districts of the city, in which the victims were not political activists, supports the analysis that the operations of zenglendos are subject to the control of the FAD'H and are intended to create a climate of fear and intimidation when the political situation is felt to require it.

5. Despite the overall decline in the total number of killings and suspect deaths in Port-au-Prince from mid-September, killings of political activists continued to occur during the second half of the month and the first half of October. The Mission was investigating reports of over a dozen killings in Port-au-Prince between 1 and 15 October, but in view of the delay with which some reports are received this is likely to be less than the total that would have been reported for the period if the Mission had remained in Haiti. There were also a growing number of reports that bodies were being taken away from the scene of killings:

(a) Edouard Dil, an active supporter of President Aristide, was killed in the evening of 25 September in the neighbourhood of Canapé Vert by four armed men in a red Rocky pick-up, a vehicle involved in several other killings. The men, who were armed with Colt 45 pistols and with automatic weapons, fired several times at the victim while deriding his political sympathies;

(b) Martial Milord Aurélus, an activist of the Organisation populaire de Bolosse in Carrefour, was abducted on 26 September by armed men in a white pick-up without plates. His body was found some hours later on the Route de Pharnal: his hands were tied behind his back and he had been killed with a bullet in his left temple. His funeral took place on 4 October, when four other activists of the same organization, including its Secretary-General, were abducted by armed men, also operating in a white pick-up without plates: their fate is unknown to the Mission;

(c) Inés Dormé, the mother of an activist of the Comité Jeunes pour Volcy in Cité Soleil was killed by armed men who were looking for her son late in the evening of 28 September in rue Volcy, Cité Soleil;

(d) Inok Lorsius, a supporter of President Aristide, was taken away from his home near the Port-au-Prince cemetery in the evening of 29 September by seven men with automatic weapons in a red pick-up with government plates. His body with several bullet wounds was found early the next morning in the rue Joseph Janvier. He lived with a political activist who had participated in the posting-up of photographs of President Aristide organized by the KOMEVEB in the suburb of Pétionville on 17 August, and armed men had been reported asking for their address;

(e) Carlo Altidor was killed on 4 October when he was shot twice from a vehicle without plates in the rue Marcajoux; he had been the object of repeated threats after an article had appeared in his name in the pro-Aristide Creole weekly Libete;

(f) Ronald Cadet was killed by armed men at Delmas 24 on 9 October; he was an activist in the youth organization Comité Jeunes pour Volcy in Cité Soleil, which was currently the object of active repression by the Cité Soleil police. Another active member of the same organization, Fricko Otess, was killed on 10 October after having been intercepted and taken away by armed men in a white pick-up, which witnesses said came from the Wharf police post at Cité Soleil; a policeman from that post, known by the residents of the locality for his operations in civilian clothing, was reported to be responsible for Otess' illegal arrest and arbitrary execution. Other members of the organization were reported to have been illegally arrested by members of the Duvalierist political

organization the Front pour l'avancement et le progrés haïtien (FRAPH) on the day of their general strike, 7 October, and taken to the locality outside Port-au-Prince known as Tit Anyen, the site of a mass grave during the Duvalier era where bodies have regularly been discovered since the coup d'état. One person taken there that day said he was questioned about the activities of supporters of President Aristide and shown photographs of several people, including Ronald Cadet and Fricko Otess, whom his interrogators said they were going to kill; he also said he saw some 20 bodies at the site.

6. The features of the pattern of attacks upon political activists in the city became increasingly apparent from the Mission's continuing investigations into these and previous killings and enforced disappearances. The victims were members of popular organizations considered pro-Lavalas (the movement that supported the election of President Aristide), in particular leaders who continued to be active in their localities. The perpetrators were armed men mostly operating in civilian clothing, usually at nightfall, without covering their faces. They were armed with automatic weapons (Uzis and M16s) and operated in red or white pick-up vehicles, sometimes with government plates. In several cases there was information regarding a direct link between the perpetrators and the FAD'H, and the impunity and logistical support of their operation is strongly indicative of FAD'H involvement. Their activities appear to be supported by a major intelligence operation, seen clearly in the questioning in previous months of victims of enforced disappearance who subsequently reappeared.

7. Some such violations were perpetrated directly by members of the FAD'H acting in uniform. In the late evening of 23 September, a political activist who was a member of several community organizations in Carrefour was stopped in the street by a patrol of about 20 soldiers in olive-green military uniform. Recognizing him as one of the members of the neighbourhood watch committee, the soldiers ordered him to walk in front of them and then shot at him; he received several bullet wounds and was left for dead. The Mission was able to arrange for his medical treatment. His experience was consistent with other reports indicating that members of the FAD'H met regularly at the home of a sergeant of the Lamentin 54 barracks and undertook night patrols in the area. The vehicles used in those patrols were also reported to have been used in the operations of armed men on 7 October, the day of the general strike called by the FRAPH.

8. While up to August two thirds of those reported to have been abducted reappeared, from September onwards those who disappeared were either found dead or remain disappeared. The Mission has information about seven cases of people who disappeared after the beginning of September, but believes that these are likely to represent only a proportion of the total. They include Pierre Michel Guillaume, an active supporter of President Aristide in Les Cayes, Département du Sud, arrested there in early September in connection with an operation of posting photographs of President Aristide and abducted in Port-au-Prince on 27 September in a white pick-up without plates when leaving the office that processes applications for asylum in the United States of America. The brother of the victim, Jean-Marie Guillaume, was himself abducted on 13 October at the Port-au-Prince tap-tap (public transport) station near City Hall, by armed men who identified him by name before taking him away in a white pick-up, blindfolded, with several other detainees. They were taken to the anti-gang police station where he was questioned about the activities of his

brother and threatened with the same fate. A large number of detainees were reportedly being held at the anti-gang police station at that time.

9. A number of the victims of killings in Port-au-Prince were activists who had left their homes in other départements after being sought there. The Guillaume brothers were reported to have been recognized by attachés from Les Cayes after they had come to Port-au-Prince. There was growing information that armed men considered attachés in their areas of origin were operating in the slums and working-class districts of Port-au-Prince, together with or acting as members of FRAPH, to seek out internally displaced people in the city. The number of bodies that remained unidentified is consistent with the hypothesis that victims included displaced activists from the provinces who had attempted to go into hiding in the capital.

10. While the majority of politically targeted victims were local activists, the killing of Antoine Izméry was followed by other probable attempts to kill national political leaders. On the night of 4 October, four heavily armed men entered the home of Jean-Claude Bajeux, Director of the Centre oecuménique de droits de l'homme, a human rights organization with an international reputation, and a leader of the political party Komité nasyonal kongré mouvman démokratik yo KONAKOM (National Congress of Democratic Movements). Neither he nor his wife were at home; in their absence their household employees were tied up, assaulted and threatened with death, and a neighbour was shot in the stomach. In the preceding days the Centre oecuménique had received a number of threats after Mr. Bajeux had made public statements criticizing the announcement by the Director of the National Museum of an exhibit commemorating François Duvalier. The events at the Hotel Christopher on 5 October, described below (para. 13), may have had as their target the Mayor of Port-au-Prince, Evans Paul.

11. In the early afternoon of 14 October, the Minister of Justice in the constitutional Government of Prime Minister Robert Malval, Guy Malary, was gunned down in his car in the rue José Marti, near his Ministry. The Minister had left his office after leaving a meeting because the participants had noted the presence of armed men in the streets around the Ministry. Mission observers were prevented from having access to the scene of the killing for over one hour. When permitted to approach the site, they saw the bodies of the Minister, his driver and one of his bodyguards, and observed a fourth victim, perhaps a second bodyguard, being driven away in a military ambulance. The Minister's vehicle bore the marks of a large number of small-calibre bullets and several holes of large diameter indicating the use of heavy assault weapons. The commander of the anti-gang police station was on the scene and was seen to order the taking away of frightened witnesses. The Minister was a key participant in the implementation of the Governors Island Agreement and had recently presented to Parliament a law establishing a new civilian police force separate from the FAD'H.

12. The Mission's previous report (A/48/532, para. 46) noted that the killings outside Port-au-Prince City Hall at the time of the re-investiture of the elected Mayor on 8 September and the assassination of Antoine Izméry on 11 September appeared to have succeeded in creating a climate of fear in which no public demonstrations of support for President Aristide were subsequently attempted. That situation continued into October. The report also noted, however, that groups of demonstrators hostile to the constitutional Government

were able to force their way into the Ministry of Finance on two occasions and to disrupt the investiture by the Prime Minister of the new Minister of Foreign Affairs, and a large gathering of self-styled Duvalierists was permitted in central Port-au-Prince on 22 September. The evidence that the FAD'H were not only permitting but encouraging and accompanying intimidatory demonstrations by those hostile to the constitutional Government, in which arms were carried and violence and intimidation committed, mounted thereafter.

13. Several of the intimidatory demonstrations were organized in the name of the newly formed Duvalierist political organization, the FRAPH. On 5 October, the FRAPH held a meeting and press conference at the Hotel Christopher in Port-au-Prince, at which it called for a general strike on 7 October. At the time of that meeting, the Mayor of Port-au-Prince had just concluded a meeting with city school directors in the office building of the former Presidential Commission (disbanded when the Government of Prime Minister Robert Malval took office). The building subsequently accommodated the liaison office of the Prime Minister with the Parliament. More than a hundred armed men surrounded the building, which was broken into and ransacked. The assailants, some of whom were carrying and firing automatic weapons, accompanied by uniformed police who had been called to the scene, manhandled and illegally arrested 41 occupants of the building, including those who had been taking part in the meeting of school directors and Wesner Emmanuel, the former Senator who is the Prime Minister's Parliamentary Liaison Officer. All were compelled to leave the building, their hands above their heads, under threat of arms. The police present made no attempt to control the conduct of the armed civilians and they themselves participated in the illegal arrests. Those arrested were taken to the anti-gang police station, which forms part of the same building as the headquarters of the Chief of Police of the metropolitan zone, in vehicles that had been seen to convey the armed civilians to the site. Although the occupants had themselves been gratuitously assaulted by those who broke into the building where they had been engaged in peaceful activities, the police, when asked by the Mission what was the basis for their arrest, accused them of "voies de fait" ("assault"). However, they were all released without being formally charged or brought before a court.

14. A team of the Mission went to investigate the events, but had to withdraw after a man in civilian clothing fired rounds from an automatic weapon in their direction. Much of the event was however witnessed by Mission observers who were staying in the Hotel Christopher.

15. The Mission issued a statement on 6 October noting that the attacks on personal integrity and security and repeated violations of the freedoms of expression and assembly were evidence of the unwillingness of the authorities responsible for maintaining law and order to enforce the respect of rights guaranteed by the Haitian Constitution and international human rights treaties to which Haiti is a party.

16. Despite increasingly intimidatory behaviour by the FAD'H, their attachés and other armed men allowed to operate with impunity in Port-au-Prince, the Mission followed closely the situation in the capital as well as in the provinces throughout 7 October, the day of the strike called by the FRAPH. In Port-au-Prince, the Mission observed that in the morning groups of men in private vehicles patrolled the main streets of the city, intercepting other

vehicles and closing down any activity in the city's markets. On many occasions, armed men assaulted shopkeepers, stallholders and passers-by, and fired shots to spread panic among the population. In the neighbourhood of Carrefour, at a site where armed men were observed inflicting beatings, Mission observers had to withdraw on being threatened with automatic weapons. Throughout the day, police patrols were often observed escorting the armed civilians enforcing the strike and sometimes acting in concert with them from the same vehicles. In Jacmel, the chief town of the Département du Sud-Est, and in Gonaïves, the chief town of the Département de l'Artibonite, soldiers were seen assisting civilians in enforcing the strike.

17. The Mission issued a statement on 7 October deploring the failure of the military authorities to protect the population against the threatening behaviour of armed men and drawing attention to the participation of the FAD'H in acts of intimidation and terror against citizens attempting to go about their normal business. The Mission noted that freedom of expression and peaceful assembly should be guaranteed to all sectors of society without partiality and the law enforced against those who committed acts of violence or intimidation.

18. On 11 October, the FRAPH organized a demonstration at the port of Port-au-Prince when the United States Navy vessel the Harlan County was due to dock to put ashore United States and Canadian soldiers forming part of the United Nations Mission in Haiti. The car of the United States Chargé d'affaires was violently attacked by a crowd of armed men and several journalists were assaulted by them. This further violence again took place in the presence of a large number of uniformed police who did not intervene. The same morning, armed men took over the state radio and television stations, where the installation of directors appointed by the constitutional Government had eventually taken place after weeks of forcible resistance, and commenced anti-government broadcasts. The Commander-in-Chief of the FAD'H, Lieutenant-General Raoul Cedras, issued a statement, which, while it condemned the acts of violence of the morning and the illegal occupation of the state radio and television stations, deplored "that Haitian citizens, concerned for their sovereignty and demonstrating to reclaim transparency in the affairs of the nation, should have been treated as bandits and criminals by representatives of the international community".

19. The overwhelming majority of reported killings in the country continued to be in Port-au-Prince. Elsewhere, on 19 September, a corporal of the military barracks at Côtes-de-Fer, Département du Sud-Est, was apparently engaged in extortion at Morne Blanc when he shot dead Oritiz Orisma. The corporal was overwhelmed and disarmed by the local population; when additional soldiers arrived from the barracks they arrested 10 people for attacking the corporal. The corporal was later transferred to the military hospital in Port-au-Prince but no disciplinary procedures were known to have been initiated. On 8 October, François Cevile was killed at his home near Maniche, Département du Sud, by an attaché; the reason for the killing is unknown, although it was rumoured in the area that he was on a list of intended victims. The perpetrator was killed in revenge the following day by the local population. There were several reports, which the Mission was not able to confirm, of killings carried out by soldiers and attachés at Pont Sondé, near Saint-Marc, Département de l'Artibonite.

20. An enforced disappearance took place at Hinche, Département du Centre, on 7 October. Towards midnight, a group of attachés led by the chef de section (rural police chief) went to the house of an active member of the Mouvement des paysans de Papaye (MPP) and supporter of President Aristide at Cité Silence. They beat his companion to try to force her to disclose his whereabouts, then discovered him in the house, dragged him outside and beat him. He was reported to have been taken to the barracks at Hinche. His fate is unknown; the Mission has received an unconfirmed report that his body was found in a river at the end of October.

21. Throughout September and the first half of October, Mission observers continued to intervene in cases of arbitrary arrests, illegal detention and torture, the victims of which were in many cases people targeted for their political activities or opinions:

(a) At Thomassique, Département du Centre, an activist of the MPP was illegally arrested on 7 September in the presence of many witnesses by three soldiers in uniform. He was accused of preparing the return of President Aristide and was asked for the names of people who had participated the previous week in a meeting with the Mission, and was beaten severely in the street and after being taken to the barracks, twice losing consciousness. He was released after six hours of detention; the Mission arranged for his medical treatment;

(b) At Gonaïves, Département de l'Artibonite, a leader of a popular organization who had been arrested on two previous occasions since the coup d'état was illegally arrested on 8 September by four members of the FAD'H and severely beaten with batons all over his body and on the head. He was accused of burning tyres and provoking demonstrations in June. He was released two days later as a result of the intervention of the Mission;

(c) At Hinche, Département du Centre, during the night of 15 September, a group of masked attachés went to the home of the former President of the Electoral Council, considered sympathetic to the MPP and to President Aristide, and, accusing him of favouring the return of the President, beat him with batons, particularly on the head, with the result that he required hospitalization;

(d) At Petite Rivière de l'Artibonite, Département de l'Artibonite, a leading local member of the Front national pour le changement et la démocratie (FNCD) was arrested by a corporal without a warrant on 22 September. He was initially accused of throwing stones at a neighbour's house and then of involvement in the distribution of pro-Aristide leaflets, posting up photos of the President and "multiples désordres". While observers were on their way to make representations regarding his case on 24 September, he was beaten in his cell by the commander of the barracks, a corporal and an attaché. He was eventually taken before a judge on 27 September and provisionally released two days later;

(e) At Camp Perrin, Département du Sud, a supporter of President Aristide was arrested by soldiers on 26 September and severely beaten both at the time of his arrest and after he had been taken to the military post. He was only

transferred to prison at Les Cayes four days later, after the intervention of the Mission, and as at 14 October he had not yet been taken before a judge. The district military commander threatened in the presence of Mission observers that he would be killed;

(f) At Cap-Haïtien, Département du Nord, during the parade staged by the FAD'H apparently to celebrate the second anniversary of the coup d'état on 30 September, a young man was arrested and beaten in the street and in a military truck by attachés after he was suspected of making a remark in support of the return of President Aristide. He was further beaten severely by many uniformed members of the FAD'H and attachés inside police headquarters, and subjected to the "kalot marasa" (twin slap on the ears - a torture technique frequently employed by the FAD'H, see A/48/532, para. 33), before being released;

(g) At Hinche, Département du Centre, during the night of 12 October, eight men including an armed soldier went to the home of an active member of the Ti Legliz ("Little Church", associated with liberation theology and President Aristide). He was taken out and subjected to blows from batons and rifle butts and the kalot marasa. He was taken towards the river, continuing to be severely beaten, and eventually was able to throw himself into the river and flee. He was hospitalized with the assistance of the Mission in a critical condition, having lost most of his teeth and with open wounds on his head, ears and stomach;

(h) At Petite Rivière de Bayonnais, Département de l'Artibonite, immediately after a meeting on human rights education organized by the Mission on 13 October, the only two people who spoke during the meeting were arrested in full view of Mission observers and others by a corporal and an attaché, and taken to the military post. There an old man, apparently a relative of one of the two, was also arrested after complaining about the arrests. The corporal in charge of the post ordered that he be given 150 blows; this was not carried out, but the other two men were beaten. One was seen by Mission observers on the floor in the folded "djak" position (a torture technique frequently employed by the FAD'H, see A/48/532, para. 33). The Mission intervened with the commander of the Département; one was released the same day and the other two the next day.

22. Many of the cases of arbitrary arrests, illegal detention and torture can thus be seen to have been linked to the attempts of the victims to exercise their right to freedom of expression, most commonly by expressing their support for President Aristide. Other severe cases of violation of the right to integrity and security of the person continued to be carried out against those accused of ordinary criminal offences:

(a) At Cap-Haïtien, Département du Nord, during the night of 27/28 September, 18 children between the ages of 8 and 17 were arrested by attachés, beaten and taken to police headquarters, where they were beaten further and placed in cells. They were accused of glue-sniffing. One 17-year-old was shot in the buttocks trying to escape arrest. One 16-year-old suffered a broken arm from beating and another 17-year-old suffered a ruptured retina as a result of a blow to his left eye and is expected to lose vision in the eye;

(b) In the 4th Section of Dessalines, Département de l'Artibonite, a farmer was arrested without warrant on 29 September and taken to the house of the chef de section. He was beaten there and transferred the following day to the Dessalines barracks, where he was beaten again by a corporal. On 1 October, he was brought before the justice of the peace: he was unable to walk or sit as a result of serious wounds on his buttocks and left knee, and the justice ordered him to be sent to hospital for urgent medical treatment;

(c) In the prison of Les Cayes, Département du Sud, on 1 October, a prisoner serving a sentence for theft was beaten by a corporal so severely that he was transferred unconscious to hospital and remained hospitalized on 14 October. His alleged offence was that he had thrown urine over the corporal.

23. As the date of 30 October agreed upon in the Governors Island Agreement for the return of President Aristide drew nearer, parades and demonstrations by the FAD'H and those linked to them, sometimes operating in the name of or in conjunction with the FRAPH, and clearly intended to intimidate the supporters of the President and the constitutional government, occurred in many parts of the country. In Cap-Haïtien, Département du Nord, the FAD'H and their attachés staged parades on 30 September, apparently to celebrate the second anniversary of the coup d'état against President Aristide, and again on 8 and 13 October. In Gonaïves, Département de l'Artibonite, the FRAPH called a demonstration on 12 October in the main square; vehicles with loudspeakers told shopkeepers to close and the demonstration took place in the presence of members of the FAD'H. In Jérémie, Département de la Grand'Anse, soldiers paraded through the streets on 12 October, shouting nationalist slogans and against the presence of foreigners.

24. Meanwhile, reports continued to be received from different parts of the country of the additional recruitment of attachés and the further distribution of arms to them, and of threats including the drawing up of lists of people to be targeted for elimination or victimization. In many places the visible presence of attachés intensified and in some places this led to a virtual curfew.

25. Among the demands of some of the demonstrations, and of public statements by those associated with them, were the withdrawal from Haiti of the Special Representative of the Secretaries-General of the United Nations and the Organization of American States (OAS), of the United Nations Mission to Haiti (UNMIH) and of the United Nations/OAS International Civilian Mission to Haiti (MICIVIH). Mission observers faced increasingly threatening behaviour from members of the FAD'H and their attachés, especially in Port-au-Prince and Cap-Haïtien, Département du Nord, including being threatened with loaded weapons on a growing number of occasions and, in the incident referred to in paragraph 14 above, being fired upon. On 12 October, about 300 men, including attachés, some of them armed with batons, surrounded the office of the Mission in Hinche, Département du Centre, shouting slogans against both MICIVIH and UNMIH and tearing down a human rights education banner. Later the same morning they proceeded to a residence of Mission observers, where they assaulted a local employee and smashed the windows of a Mission vehicle.

26. After the evacuation of the Mission, the Commander-in-Chief of the FAD'H stated in a television interview on 17 October that at no time had members of

the Mission been threatened. That false assertion is contradicted by the various communications sent by the Mission to the High Command of the FAD'H over several months drawing attention to the most serious incidents of threats to Mission personnel and reminding the High Command that paragraph 4 (f) of the terms of reference of the Mission required the authorities to take the necessary measures to ensure the safety of members of the Mission. At no time during the Mission's presence did the High Command make any public statement regarding respect for that requirement and the Mission received no response to any of the communications.

27. In view of the deteriorating security situation facing personnel of the Mission and following the decision of the United States Government to withdraw the Harlan County from Haitian waters on 12 October and that of the Government of Canada to withdraw the Canadian United Nations police monitors from Haiti on 14 October, it was decided that security conditions required the evacuation of the international personnel of MICIVIH to the Dominican Republic until conditions permitted their return. That evacuation was carried out on 15 and 16 October.

28. On 16 October, the Mission issued a statement recording that it had received its instructions to relocate with great sadness and regret, and wished to express its highest regard for all those Haitians - the vast majority - who had struggled so valiantly to protect human rights, to create the rule of law and to restore constitutional order. It called on the FAD'H, pursuant to paragraph 4 (b) of the Mission's terms of reference, to guarantee the safety and well-being of all Haitians who had come into contact with it through the deposition of complaints of human rights abuses or who had otherwise aided its work. It further called on the FAD'H to guarantee the safety of all Haitian nationals who had been in the employ of the Mission.

29. Since the evacuation of the Mission, there have been reliable and consistent reports of an increased number of human rights violations, including killings - mostly in Port-au-Prince - and arbitrary arrests and threats to the security of person in different parts of the country, although the Mission ceased to be in a position to verify individual reports directly. Specific threats to local employees of the Mission and to people who had been in contact with it have been reported to it. The Mission reiterates in the strongest possible terms the accountability of the FAD'H to the international community for the safety of all such people.

APPENDIX

Report on the assassination of Mr. Antoine Izméry

Executive summary

1. The 17-page report of the investigation by the joint Organization of American States (OAS)/United Nations International Civilian Mission to Haiti (MICIVIH) on the assassination of Antoine Izméry concludes that the assassination was a carefully planned and orchestrated commando-style operation, involving the Forces Armées d'Haïti (FAD'H) and their agents, who carried out the execution with complete impunity. The report into the killing is the result of an investigation conducted by the Investigation and Research Department of the Human Rights Division of MICIVIH. It is based on eyewitness testimony of MICIVIH observers, interviews of 27 other witnesses, examination of photographic and documentary evidence, and on further investigations carried out by MICIVIH.

2. On 11 September 1993, Izméry, 50, a leading and outspoken supporter of ousted President Jean-Bertrand Aristide, was dragged out of a memorial mass at the Church of Sacré Coeur in Port-au-Prince, in the presence of foreign journalists and photographers, and murdered in cold blood in a public street heavily patrolled by the police.

3. Izméry had joined other Haitian political activists in creating the Joint Committee for the Emergence of the Truth (the Komite mete men pou verite blayi, KOMEVEB), which emphasized the need for a just transition of power and opposed any moves to grant impunity for government agents responsible for human rights violations.

4. Izméry was well aware that opposition activists in Haiti face immense personal danger. His brother Georges Izméry was assassinated in May 1992 and from May 1993 a number of activists close to him had been abducted in Port-au-Prince by armed men and taken to clandestine detention centres where they were interrogated under torture about Izméry's political activities. By August 1993, these abductions had become more numerous and activists from popular organizations close to KOMEVEB were being targeted.

5. In early September, KOMEVEB organized a memorial mass at the Church of Sacré-Coeur to commemorate the 11 September 1988 massacre at Saint-Jean Bosco Church, the parish church of Father Aristide.

6. On the morning of 11 September, in a two-stage deployment that began at about 0600, armed civilians and uniformed police were put in place in the neighbourhood around the Church of Sacré-Coeur. Several police vehicles, notably from the anti-gang police station, took part in the operation. Some of those who participated were deployed from buildings containing a military office closed to the public and a branch of the police situated only 100 metres from the church.

7. The group charged with carrying out the assassination included at least 15 people. Witnesses identified some of them, in particular one officer of the FAD'H, one man who had been recognized as a torturer in a clandestine detention

centre a short time before and several attachés. The group was equipped with automatic handguns and hand-held and mobile radio equipment. The attack itself was well-coordinated and aimed solely at Antoine Izméry. The church grounds and the adjacent street were placed under the control of armed men, who violently dispersed passers-by. Other armed men, some carrying machine-guns, blocked traffic in order to create an outer controlled zone for the execution.

8. At least five armed men entered the church during the memorial service, at around 0925, put a gun to Izméry's head and marched him outside. When they got him to the street, they forced him down on his knees with his hands behind his head. By this time he was surrounded by a dozen armed men. A man identified by some witnesses as Gros Fanfan, a former Macoute known to be an attaché leader, then approached Izméry and shot him twice in the head at point-blank range. A second victim, Jean-Claude Maturin, was killed nearby, apparently because he had become an inconvenient witness.

9. The killers benefited from the complicity and support of the security forces (some of them in uniform) present at the scene. For instance, the assassination team arrived and departed the scene protected and escorted by police vehicles.

10. The elaborate plan to assassinate Antoine Izméry could not have been carried out without the complicity, if not the direct participation, of highly placed members of the Haitian armed forces. The evidence in support of official collusion is clear: the nature and political implications of the crime; the use of commando tactics; the logistical means and resources required; the number and calibre of the participants involved; and the fact that KOMEVEB activities had frequently been the object of intelligence work by the military police.

11. The group that assassinated Antoine Izméry is part of a much larger permanent clandestine structure in which members of the FAD'H participate and which counts on the active support of political groups opposed to the return of President Aristide and on considerable logistical and financial support. According to MICIVIH investigations, several members of the group who executed Antoine Izméry are implicated in the organization of "private militia" or paramilitary groups in Port-au-Prince.